

**IN THE DISTRICT COURT OF THE UNITED  
STATES FOR THE MIDDLE DISTRICT OF  
ALABAMA, EASTERN DIVISION, AT  
MONTGOMERY, ALABAMA**

GENE COGGINS  
Plaintiff

V:

Civil Action No. 3:07 cv 406 - MEF

TALLAPOOSA COUNTY  
and TALLAPOOSA COUNTY SHERIFF DEPARTMENT  
Defendants

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**PERMISSION TO APPEAL TO THE UNITED  
STATES COURT OF APPEALS IN ATLANTA, GEORGIA**

COMES NOW, THE PLAINTIFF, GENE COGGINS, WITH THIS ANSWER TO OPINION, AND JUDGMENT DATED MAY, 30, 2007, AND MOTION FOR PERMISSION TO APPEAL TO THE COURT OF APPEALS IN ATLANTA, GEORGIA, AS GIVEN IN U.S.C. s/s 1292 (a)..

1. AGAIN MY COMPLAINT IS VERY PLAIN ON THE CAUSE OF ACTION AND JUDGMENT DEMANDED. IN MY RESPONSE TO SOME OF THE ORDERS, OPINIONS, AND ORDER TO SHOW CAUSE, I DON'T BOTHER TO BRING UP THE REQUIRED JUDGMENT EVERY TIME I RESPONSE TO THIS, I ASSUME A JUDGE THAT LOOKS AT THIS CASE WOULD HAVE THE COMPLAINT IN FRONT OF HIM AND UNDERSTAND ALL OF THE ISSUES IT REPRESENTS.

IN THE STATEMENT ON OPINION PAGE ONE " SUBMITTED A RESPONSE TO THE ORDER, THE TALLAPOOSA COUNTY SHERIFF DEPARTMENT IS NOT FREE FROM SUIT UNDER THE ELEVENTH AMENDMENT" OF THE UNITED STATES CONSTITUTION, OR ANY OTHER FEDERAL LAW. A STATE LAW DOES NOT APPLY TO ANY SUIT IN FEDERAL COURT.

IN MY ANSWER TO ORDER , I GAVE THE ELEVENTH AMENDMENT AS LISTED IN THE CONSTITUTION OF THE UNITED STATES, THIS IS SO PLAIN THAT MY SEVEN YEAR OLD GRAND DAUGHTER CAN UNDER STAND. FOR THIS PLAINLY STATES THAT A CITIZEN FROM ANOTHER STATE CANNOT SUE THIS STATE, BUT THIS DOES NOT FREE A CITIZEN FROM THIS STATE IN FILING A SUIT AGAINST THIS STATE OR ANY OFFICIAL OR DEPARTMENT OF THIS STATE.. IF THERE ARE ANY STATE LAWS THAT ARE DIFFERENT FROM THIS, THEN THAT LAW IS ILLEGAL, FOR FEDERAL LAWS HAVE PRESTIGE OVER ANY STATE LAW, AND FEDERAL COURTS CANNOT BASE A CASE ON ILLEGAL STATE LAWS.. THE FINAL CONCLUSION ABOUT THIS STATEMENT MADE, A TRIAL WHICH INSURES SUBSTANTIAL JUSTICE CONFORMITY TO LAW, A TRIAL WITHOUT **PREJUDICE**, BEFORE AN IMPARTIAL JURY, AND JUDGE WHOSE **NEUTRALITY IS INDIFFERENT TO EVERY FACTOR IN THE CASE, AFTER FULLY CONSIDERATION OF EVIDENCE AND FACTS AS A WHOLE**. FOLLOWING THE BASIC CONSTITUTION GUARANTEED RIGHTS AS FOUND IN THEE DUE PROCESS CLAUSE OF FOURTEENTH AMENDMENT OF THE UNITED STATES CONSTITUTION.. C. C. A. N. Y. 61, F. 2D 966, 968. *Stacey V: State 79 Okl. Cr. 417, 155, P. 2d, 736, 739..*

2. THIS COURT HAS NEVER FOLLOWED ANY OF THE ABOVE REQUIREMENTS, HAS INTENTIONALLY BROKEN ALL OF MY GUARANTEED CONSTITUTIONAL RIGHTS, MY COMPLAINT AND SUMMONS WAS NEVER SERVED, OR NO COPY OF SERVICE SENT TO ME, NO ANSWER WAS EVER RECEIVED FROM THE DEFENDANTS, ALL RESPONSES, PROVED TO BE PREJUDICE AGAINST AN INDIVIDUALS RIGHTS, TO BE HEARD IN A FAIR COURT OF LAW. A COPY OF ALL OF THIS SO CALLED JUSTICE HAS BEEN SENT TO THE UNITED STATES ATTORNEY GENERALS OFFICE, REQUESTING INVESTIGATION AND THE DISCIPLINARY COMMISSION OF THE ALABAMA STATE BAR, ALL INVOLVED BE PROSECUTED ACCORDINGLY..
3. THERE IS NO WHERE IN MY COMPLAINTS DID I REQUIRE AN OPINION FROM A MAGISTRATE JUDGE. RULE 28 U. S. C. s/s 636 (c). I HAVE BLOOD PRESSURE PROBLEM REAL BAD THAT REQUIRES AT LEAST 1 TO 4 BLOOD PRESSURE PILLS A DAY, AND I AM NOT ABLE TO ARGUE THIS IN ANY COURT. WITH THIS REFUSAL TO USE THE APPENDIX SYSTEM AND NO ORAL ARGUMENT REQUIRED, THE BEST THING FOR YOU TO DO IS SEND ME YOUR FINAL ORDER SO I CAN APPEAL THIS TO A HIGHER COURT .THIS MOTION FOR PERMISSION TO APPEAL IS FILED WITHIN THE PROPER TIME LIMIT AND COURT IN COMPLIANCE TO FED R. APP. P. 4 (a) (1), 3 ©)...

*Gene Coggins*  
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